

FILED

FEB 08 2012

CLERK, U.S. DISTRICT COURT
DISTRICT OF NEVADA
BY _____ DEPUTY

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

v.

MICHAEL JAMES FARLEY,

Defendant.

2:11-CR-086-PMP (GWF)

PRELIMINARY ORDER OF FORFEITURE

This Court finds that on February 6, 2012, defendant MICHAEL JAMES FARLEY pled guilty to Count Three of a Four-Count Criminal Indictment charging him in Count Three with Receipt of Child Pornography, in violation of Title 18, United States Code, Section 2252A(a)(2). Docket #1.

This Court finds defendant MICHAEL JAMES FARLEY agreed to the forfeiture of the property set forth in the Forfeiture Allegation of the Criminal Indictment, the Bill of Particulars and in the Plea Memorandum. #1, #24.

This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2), the United States of America has shown the requisite nexus between the property set forth in the Forfeiture Allegation of the Criminal Information and the Bill of Particulars and agreed to in the Plea Memorandum and the offense to which defendant MICHAEL JAMES FARLEY pled guilty. #1, #24.

The following assets are subject to forfeiture pursuant to Title 18, United States Code, Section s 2253(a)(1) and 2253(a)(3):

...

- 1 a) all visual depictions described in Title 18, United States Code, Sections 2251,
2 2251A, 2252, and 2252A;
- 3 b) all items containing such visual depictions, which were transported,
4 shipped and received in violation of Title 18, United States Code,
5 Section 2252A;
- 6 c) all property, real or personal, used or intended to be used to commit or
7 to promote the commission of such offense or any property traceable
8 to such property, including but not limited to computer images,
9 including movie files, depicting a minor engaging in sexually explicit
10 conduct and the diskettes and hard drives on which they are maintained;
- 11 d) generic computer, serial number unknown;
- 12 e) HP Pavillion desktop computer, serial number MXP515000Y;
- 13 f) HP Pavillion laptop computer, serial number 2CE6470DV0;
- 14 g) Western Digital 200GB hard drive, serial number WMACK1586303;
- 15 h) Western Digital 60 GB hard drive, serial number WMA8E1587512;
- 16 i) Western Digital 120 GB hard drive, serial number WMALC1123075;
- 17 j) Maxtor 250 GB hard drive, serial number Y638RQME;
- 18 k) Maxtor 250 GB hard drive, serial number Y643ZVXE;
- 19 l) Xcraft external hard drive with Hitachi 60 GB hard drive, serial number
20 1P00000019R;
- 21 m) Western Digital hard drive, serial number WCAL97309397;
- 22 n) Western Digital hard drive, serial number WCAPW3157229;
- 23 o) Western Digital hard drive, serial number WCAV50210659; and
- 24 p) Red Dane Electric 512 MB thumb drive, serial number unknown
25 ("property").
- 26 ...

1 This Court finds the United States of America is now entitled to, and should, reduce the
2 aforementioned property to the possession of the United States of America.

3 NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the
4 United States of America should seize the aforementioned property.

5 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all right, title, and interest of
6 MICHAEL JAMES FARLEY in the aforementioned property is forfeited and is vested in the United
7 States of America and shall be safely held by the United States of America until further order of the
8 Court.

9 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States of America
10 shall publish for at least thirty (30) consecutive days on the official internet government forfeiture
11 website, www.forfeiture.gov, notice of this Order, which shall describe the forfeited property, state
12 the time under the applicable statute when a petition contesting the forfeiture must be filed, and state
13 the name and contact information for the government attorney to be served with the petition,
14 pursuant to Fed. R. Crim. P. 32.2(b)(6) and Title 21, United States Code, Section 853(n)(2).

15 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any, must be
16 filed with the Clerk of the Court, 333 Las Vegas Boulevard South, Las Vegas, Nevada 89101.

17 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the petition, if any,
18 shall be served upon the Asset Forfeiture Attorney of the United States Attorney's Office at the
19 following address at the time of filing:

20 Michael A. Humphreys
Assistant United States Attorney
21 Daniel D. Hollingsworth
Assistant United States Attorney
22 Lloyd D. George United States Courthouse
333 Las Vegas Boulevard South, Suite 5000
23 Las Vegas, Nevada 89101.

24 ...

25 ...

26 ...

1 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice described herein
2 need not be published in the event a Declaration of Forfeiture is issued by the appropriate agency
3 following publication of notice of seizure and intent to administratively forfeit the above-described
4 property.

5 DATED this 6th day of July, 2012.

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UNITED STATES DISTRICT JUDGE

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